1890-032 Chancery Causes: Dora B. Loyd by &c vs. James F. Loyd
Lee Co.

Hurst, Barron, Wood, Carnes, Fugate, Harris

CA-Divorce
T-Vices

To the Hon. John A. Kelly Judge of the Circuit Court of Lee Co Va

Dora B. Loyd who sues by Wm S. Hurst her father and next friend - Humbly Complaining would respectfully represent, that nearly two years ago, while young and unsuspecting, she in a moment of misguided youthful folly, ran away with one James F. Loyd and intermarried with him, whose wife she now is; but soon after their marriage a disagreement arose, and their married life has been a continual gloom. She made every effort to love and obey him, but she could not - and each effort at reconciliation drew them further & further apart

She had determined to bow to her fate, and yield to the force of circumstances, and live up to all other duties of life, when a new pang was added to her breast, by the fact that her husband, via adultery to his other numerous faults & follies

became wrecklef of his vows and sought evil Company committing various acts of adultery so open and notorious, that to longer live the wife of such a man was intolerable.

Of these acts of open and gross adultery she will be able to make clear and satisfactory proof. Since wherefore she has refused to associate with or live with or in any way recognize her said husband as a husband.

The object of this bill therefore is to obtain a decree of divorcement full final & Complete from the said bonds of matrimony - To effect which she prays that James F. Boyd be made a party defendant to this bill, and answer its allegations upon oath and upon a hearing a decree of divorcement be granted her from her said Husband and for such other further and General relief - May

Respectfully yours,
A. L. Pridemore
for Pfaff.

1880 to 1890

L

on Petition P

Dora B. Loyd &c

vs Bill chy

James F. Loyd.

1886. Oct. Bill Filed
Sha Ex'd & D. Nisi
" Nov. D. N. Conf'd.
& Cause set for hearing
1887 March Term
Decree final
O.B.3. 11

C 5.98
S .50
$ 15.00
$ 21.48

Virginia,

Lee Circuit Court,

Honorable H. S. H. Monison Judge of the said Circuit Court in Chancery.

The petition of James F. Loyd, would respectfully represent that in October 1886 Dora B. Loyd his then wife, instituted a suit in this Honorable Court against your petitioner, the object of which suit was to obtain a divorce from the bonds of Matrimony then existing between your petitioner and the said Dora B. Loyd, alleging as the grounds for said divorce, adultery.

Your petitioner further shows your honor that at the March term 1887 of said Court, a decree was rendered dissolving the bonds of Matrimony existing between said parties, giving the complainant leave to marry again, and inhibiting the defendant from Marrying again.

Your petitioner further shows your honor that the said complainant Dora B. Loyd, soon after being divorced as aforesaid married again, and is living happily, as your petitioner supposes, with her present husband.

Your petitioner further shows your honor that at the time of his marriage with the said Dora, he

was quite young inexperienced and unsettled. and by his bad associations and indiscretion he was guilty of improper conduct which led to the said divorcement, which said divorcement which your honor will see from a decree entered in this cause was at the March Term 1887—

Your petitioner having grown older and more settled has seen the error of his way and has solemnly resolved to lead a new, different and better life. and has for some time been so doing. and desiring to establish himself in the esteem and confidence with those amongst whom he lives. Humbly prays your honor to revoke so much of the decree entered in this cause as inhibits your petitioner from marrying again.

And your petitioner will ever pray etc.

Richmond T Lucas
for petitioner.

Virginia,
Lee County to wit:-

This day James P Hayes personally appeared before me and made oath in due form, that the

Statements made in the foregoing petition so far as they depend upon his own knowledge are true, and so far as made on information derived from others he believes them to be true. Sworn under my hand this Sept. 2nd 1890.

J Alsdyatt ©

James H. Loyd —

Adv } Petition.

Dora B. Loyd

Filed Sept, 3rd 1890.
in open Court
by leave thereof
J. A. Hyatt Clk

15
10
18
36
36
40
37
192
15
207
100
307

Dora B. Loyd by ne Plff
vs
James F. Loyd Dft
} In Chancery

This cause came on this day to be heard upon the petition of James F. Loyd, and the depositions filed therewith, and was argued by Counsel. On consideration whereof, and it appearing to the Court that good cause has been shown for revoking and annulling the decree entered in said cause on the 30th day of March 1887, inhibiting James F. Loyd from marrying again. It is therefore adjudged ordered and decreed that so much of said decree as inhibits the said James F. Loyd from marrying again, be and the same is hereby revoked and annulled, and that said James F. Loyd pay the cost of this proceeding.

James. F. Loyd

Ado/ Decree.

Dora B. Loyd—

Entered Otay O.B.
302. Dec. 3rd 1890
J. A. L. Hyatt C

Enter this.
H. A. Kyle
Dec. 3rd 1890—

Dora B. Loyd by &c. Plff
against
James F. Loyd - - - - Deft

This
Cause came on this day to be
heard, upon the bill of the
Plff taken for confessed, the
depositions of witnesses, and
was argued by Counsel.

On Con-
sideration whereof, acts of
adultery having been sufficiently
proven, the bonds of matrimony
heretofore, existing between the
plaintiff and defendant are
hereby adjudged ordered and de-
cree to be, and they are hereby
forever dissolved, and the Plff
may leave to marry again -
+ Defendant is inhibited from marrying again
And the Cause is stricken from
the docket.

Dora B. Loyd

vs

Decree.

Final

James F. Loyd

March 2. 1887

Entered page 11

Enter this

March 30th 87

F. & K. M.

The depositions of J. P. Barron and others taken before me John A. G. Hyatt a commissioner in Chancery for the Circuit Court for the County of Lee and state of Virginia, in the office of Richmond V. Sewell, Jonesville in County Virginia, on the 26th day of November 1890, to be read as evidence in behalf of James F. Loyd, petitioner, in a certain suit in Equity lately decided in said court, wherein Dora B. Loyd was plaintiff and the said James F. Loyd was defendant.

J. P. Barron a witness of lawful age being duly sworn deposes and says.

I am well acquainted with James F. Loyd the Petitioner in this cause, I have known him all my life and I am now 24 years old, and I have been intimately acquainted with him for the past twelve months, I see him at least three times every week at Big Stone Gap where he is now in business and has been for the past year. My special acquaintance with him enables me to state

that during this time, he has been conducting himself as a good, upright and moral young man, and has established for himself a good character amongst those with whom he lides. I have never seen him in a saloon or in anywise associating with persons of questionable Character - and should he have been guilty of any immoral conduct I am certain I would have known or heard of it.

I also know the fact that Dora B. Loyd shortly after she was divorced from said petitioner married one Jasper F. Witt and now lives with him at Fadiville Va.

And further this witness saith not.

Jas P. Burson

Ypr. P. Wood an other witness of lawful age being duly sworn deposes and says.

Ques 1 By Petitioners Counsel.
Please state your age and place

of Residence & occupation

Ans I am 37 years old and reside at Richmond Va. and am a Merchant at said place

Ques 2 – Please state whether or not you are acquainted with the petitioner James F. Loyd & if so how long have you been acquainted with him?

Ans I have known said petitioner all his life and am well acquainted with him, and have observed closely his conduct for the past three years.

Ques 3 During the said last three years how has he conducted himself –

Ans. I have never observed any improper conduct, out of him during that time, nor have I heard of his visiting any improper people, and my observation and acquaintance with him enables me to state that he has been conducting himself as an honest, upright and prudent young man. he is now and has been for the past twelve months

engaged in business at Big Stone Gap, Va. and I have not heard any complaints of any kind against him and so far as I have been able to observe he has established a good character among the people with whom he associates. He is a young man of the very best family relations. And further this witness saith not.

W. P. Wood

Robert S. Learnes another witness being duly sworn deposes and says—

Ques By same.

Please state your age and how far you live from the petitioner.

Ans— I am 38 years old and reside about 2½ miles from Petitioner

Ques. 2 Please state how long you have been acquainted with the petitioner and whether or not you have observed his conduct, and what his conduct has been for the past three years—

Ans I have known and been well acquainted with him all his

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life, and have observed his conduct, closely, for the past three years and can state that his conduct has been good in every respect during said time.

He has as good family relations as any one, he under my observation has regularly attended preaching and Sunday School.

And further this witness saith not.

R. S. Carnes

Virginia

Lee County to wit:

I J Alsbyatt Comr. in Chy for the Circuit Court in and for said County & State do hereby certify that the foregoing depositions were duly taken Sworn to and subscribed before me at the time and place mentioned therein. Given under my hand this 26th Nov 1890.

J Alsbyatt
Comr

James F. Loyd
ads
Dora B. Loyd

Filed Nov. 26th 1870

J. A. Hyatt ©

Court fee $1.00 paid

Mr James Loyd

You will please take Notice that on the 12th day of March 1887 at the Store house of W. P. Wood in Lee County Virginia I will proceed to take the deposition of Sand Harris and others which when taken are intended to be read on my behalf in a certain Suit in Chancery now Pending in the Circuit Court of Lee County Va. in which I am Plff and you are Deft And if from any Cause the taking of said depositions be not Commenced or if Commenced be not Concluded the taking thereof will be ~~Continued~~ adjourned and Continued from time to time and from place to place in said County until the same shall be Completed

Dora Loyd

Dora Loyd

vs

Notice to
State def.

James Loyd

This day P B Bleid personally appeared before me and made oath that he delivered on the 7th day of March 1887 a true copy of the within notice to Jas Loyd Mch 10 1887

J M Smythe, D. C.

Dora Loyd

The depositions of W. L. Fugate
& Samuel L Harris was
taken before me the undersigned
on the 12 day of March 1887,
at the ~~residence of Wm Wood~~ ~~Store~~ house of W P Wood
~~in Thacker Precinct~~ ~~State of~~
in Lee County Virginia, pursuant
to notice hereunto filed and
which are intended to be read
as evidence upon the part of
Dora Loyd in a certain
suit in Chancery now pending
in the Circuit Court of Lee Co
wherein said Dora Loyd is
plaintiff & James Loyd is
defendant.

W. L. Fugate a witness of
lawful age after being duly
sworn deposes and says.

Quest: By plff.

Please state whether
or not you know of any acts
of adultery by the defendant
James Loyd, when & where it was
and all about it. ~~I was at the house~~

Ans. I saw him at a house known as Cal Town near the
ferry in Lee County Virginia some five or six miles east of Jonesville
in the bed with a

Woman of Ill fame, they wer both under the bed cover in the same bed after he was married about last Oct & further he says not

W. L. Sargent

Also the deposetions of Samuel L Harris taken at the same time and place of for the same purpos mentined in the Caption witness first being duly sworn he deposes and say he is 19 years old,

Qustion by Plantiff

Plase State whether or not you know of any acts of adultry Committed by James Loyd the Deft and if so State when & where and all you know about it.

Ans I saw him in the bed with a woman they wer both under the same cover this was in Lee County Virginia near the ferry some six miles East of Jonesville, Va, in August last, & she was a woman of Ill fame in the night time, & since he was married, and further this deponent says not

S. L. Harris

Virginia Lee County to wit.

I the undersigned a Notary Public do Certify that the foregoing depositions of W^m L Hugat & Samuel L Haris

were duly taken sworn to and subscribed before me at the time & place mentioned in the Caption given under my hand this 12^th day of March 1887

Vincent H. Kelly Com^r

Dora Loyd

~~Dora Loyd~~

James Loyd

Read thro. the mail
in good condition
& filed March 16th 89
J. A. Hyatt Cc

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF LEE COUNTY—GREETING:

WE COMMAND YOU to summon James T. Loyd

to appear at the Clerk's office of the Circuit Court of Lee County, at the Court House, on the first Monday October next, being Rule Day, to answer a Bill in Chancery exhibited in our Court against him, by Dora B. Loyd by Wm. S. Hurst her next friend

And have then and there this Writ. Witness, J. A. G. HYATT, Clerk of our said Court, at the Court House, this 28th day of Sept, 1884; in the 110 year of the Commonwealth.

J. A. G. Hyatt Clerk.

A COPY—TESTE:

(D)

Dora B. Loyd by to
vs Spa in chcy
James F. Loyd

To October Rules 1886

Executed by delivering a copy of the within to Rebecca Loyd, reading and explaining the same to her she being a white person over the age of 16. years a member of his family as he not being found at his usual place of abode. this October 2nd 1886.

E C Flanery D.S.

for R. D. Flanery S.S.C.